

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

APRIL FERGUSON et al.,

Plaintiffs,

v.

NORTH KITSAP SCHOOL DISTRICT et
al.,

Defendants.

CASE NO. 3:23-cv-05921-DGE

ORDER DENYING MOTION TO
APPOINT GUARDIAN AD LITEM
(DKT. NO. 29)

Presently before the Court is the parties' agreed motion to appoint a settlement guardian ad litem for minor child M.F. (Dkt. No. 29.) The claims on behalf of the minor child include claims under the Individual with Disabilities Education Act, discrimination, retaliation, negligence and defamation. (Dkt. No. 7.) However, "a parent or guardian cannot bring an action on behalf of a minor child without retaining a lawyer." *Johns v. County of San Diego*, 114 F.3d 874, 877 (9th Cir. 1997).

Accordingly, the parties' motion to appoint a settlement guardian ad litem (Dkt. No. 29) is DENIED without prejudice. Plaintiffs SHALL obtain an attorney **no later than October 10,**

1 **2024** to represent the minor child. Alternatively, Plaintiffs may request the Court refer this
2 matter to the district's Pro Bono Panel for consideration and possible appointment of an attorney.

3 The failure to obtain an attorney to represent the minor in this case may result in the
4 dismissal of this case.

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6 Dated this 10th day of September, 2024.

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10 David G. Estudillo
11 United States District Judge
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